

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
Civil Action No. 5:19-cv-0041-KDB-DCK**

DANIEL DANFORD, individually)
and on behalf of all other similarly)
situated individuals,)

Plaintiff,)

v.)

LOWE’S COMPANIES, INC. and)
LOWE’S HOME CENTERS, LLC,)

Defendants.)

**DEFENDANTS’
MOTION TO COMPEL
ARBITRATION AND FOR
DISMISSAL OF 129 OPT-IN
PLAINTIFFS’ CLAIMS**

Pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. § 1 *et seq.*, and Federal Rule of Civil Procedure 12(b)(1), Defendants Lowe’s Companies, Inc. and Lowe’s Home Centers, LLC (“Lowe’s”) hereby respectfully move the Court for an order compelling 94 opt-in plaintiffs, to arbitrate their claims on an individual basis in accordance with their valid and enforceable arbitration agreements, and dismissing them as plaintiffs from this case. These individuals are identified in the Declaration of Melissa Spears, filed as Exhibit A to this motion.

Pursuant to Local Civil Rule 7.1(b), Defendants’ counsel attempted to obtain concurrence in the relief sought in this motion, but was unable to do so, thereby necessitating that this motion be filed.

Dated: June 3, 2020

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2020, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

/s/ Jason C. Schwartz
Attorney for Defendant